

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
MISSOULA DIVISION

FILED

AUG 20 2019

Clerk, U.S. Courts
District Of Montana
Missoula Division

THE DEPOT, INC., a Montana
Corporation, UNION CLUB BAR,
INC., a Montana Corporation, and
TRAIL HEAD, INC., a Montana
Corporation, on behalf of themselves
and all those similarly situated,

Plaintiffs,

vs.

CARING FOR MONTANANS, INC.,
F/K/A BLUE CROSS AND BLUE
SHIELD OF MONTANA, INC.,
HEALTH CARE SERVICE CORP.,
and JOHN DOES I-X,

Defendants.

CV 19-113-M-DWM

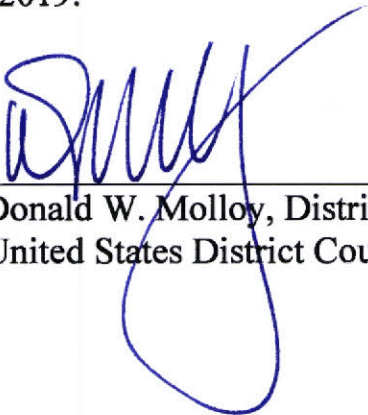
ORDER

It is unclear why this case should not be dismissed as duplicative of the action currently pending before Chief Judge Dana Christensen in *Depot, Inc. v. Caring for Montanans, Inc.*, CV 16-74-M-DLC. Defendants seek such relief in their pending motion to dismiss, (*see* Docs. 4, 5), and Plaintiffs admit that the present case was filed only to put their foot in the state court door, (*see* Doc. 13 at 2.) Accordingly,

IT IS ORDERED that Plaintiff's motion(s) to stay (Docs. 17, 18) is
DENIED.

IT IS FURTHER ORDERED that Plaintiffs shall file their response Defendants' pending motion to dismiss, (Doc. 4), on or before August 23, 2019.¹ Defendants shall respond to the pending motion to remand by the same date. (See Doc. 16.)

DATED this 20th day of August, 2019.


Donald W. Molloy, District Judge
United States District Court

11:23 AM

¹ Note that Plaintiffs were previously given an extension of time to file a response, (see Doc. 10), but failed to do so.